

Case No. 2:23-cv-00408-RDP

3. Initial Disclosures. The parties will complete the initial disclosures required by Rule 26(a)(1) no later than 14 days after the Discovery

Start Date.

4. Discovery Plan. The parties propose this discovery plan:
- (a) Discovery will be needed on these subjects: (a) all of Plaintiff's claims against Defendants; (b) Defendants' defenses to Plaintiff's claims; and (c) damages. By executing this report, no party shall be deemed to (1) have waived the right to conduct discovery on subjects not listed herein, or (2) be required to first seek permission of the Court to conduct discovery with regard to subjects not listed herein.
  - (b) Discovery will be commenced in time to be completed by 270 days after the Discovery Start Date. The parties may issue discovery in advance of the Discovery Start Date and any such discovery will be deemed served on the Discovery Start Date.
    - Document productions to be made on a rolling basis and substantially completed by 120 days from the Discovery Start Date.
    - Fact depositions to be completed by 195 days from the Discovery Start Date.
    - Opening reports from experts retained by Plaintiff or Defendants under Rule 26(a)(2) to be due 210 days from the Discovery Start Date.
    - Rebuttal reports, if any, shall be due 240 days from the Discovery Start Date.
    - Depositions of any experts shall be completed by 270 days from the Discovery Start Date.
  - (c) Each party may serve a maximum of 25 interrogatories on any other party, and responses shall be due 30 days after service.
  - (d) Each party may serve a maximum of 25 requests for admission on any other party (other than requests to admit the genuineness

of a document), and responses shall be due 30 days after service. The parties shall meet and confer regarding any limits on the number of requests to admit the genuineness of documents upon completion of document discovery.

- (e) Plaintiff may take 10 depositions and Defendants may collectively take 10 depositions unless additional depositions are stipulated to by the parties or authorized by leave of Court under Rule 30.
- (f) Each deposition shall be limited to a maximum of 7 hours unless extended by agreement of the parties or by the Court for good cause shown.
- (g) Parties shall supplement discovery under Rule 26(e) within 30 days after any party learns that in some material respect the information disclosed is incomplete or incorrect.

5. Other Items:

- (a) The parties do not request a conference with the Court before the issuance of a scheduling order.
- (b) The parties request that the Court hold a pretrial conference 30 days before trial.
- (c) The parties may amend their pleadings or add parties without leave of Court until 14 days after substantial completion of document discovery.
- (d) Dispositive motions shall be filed no later than 45 days after the close of discovery.
- (e) At this stage, the parties are unable to meaningfully assess the possibility of settlement.
- (f) At this stage, the parties are unable to identify an alternative dispute resolution procedure that may enhance prospect of settlement.
- (g) The parties shall submit designations of witnesses whose testimony

will be presented by deposition, and exhibit lists no later than 30 days before the pretrial conference. Objections shall be due within 15 days before the pretrial conference.

- (h) Motions in limine fully briefed 15 days before the pretrial conference.
- (i) The parties request a trial date in late 2024, and estimate that trial will take approximately two weeks.
- (j) The parties are discussing disclosure of electronically stored information (“ESI”) and have agreed to negotiate a protocol regarding the form of production of hard copy documents and ESI.
- (k) The parties request that the Court enter its standard Protective Order attached as Exhibit III to the Initial Order.

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LIGHTFOOT, FRANKLIN & WHITE LLC

OF COUNSEL:

William Savitt  
Sarah K. Eddy  
Nathaniel Cullerton  
Adabelle U. Ekechukwu  
Sijin Choi  
Charles M. Melman  
Kelsey A. Borenzweig  
WACHTELL, LIPTON,  
ROSEN & KATZ  
51 West 52nd Street  
New York, NY 10019  
Tel.: (212) 403-1000

/s/ Michael L. Bell  
Michael L. Bell  
Wesley B. Gilchrist  
Meghan S. Cole  
The Clark Building  
400 20th Street North  
Birmingham, Alabama 35203  
Tel.: (205) 581-0700

*Attorneys for Plaintiff*

Corey Worcester  
Jomaire A. Crawford  
QUINN EMANUEL  
URQUHART & SULLIVAN, LLP  
51 Madison Avenue, 22nd Floor  
New York, NY 10010  
Tel.: (212) 849-7000

Anthony Bongiorno (*pro hac vice* to  
be filed)  
QUINN EMANUEL  
URQUHART & SULLIVAN, LLP

111 Huntington Ave, Suite 520  
Boston, MA 02199  
Tel.: (617) 712-7100

Date: June 27, 2023

OF COUNSEL:

J. Ken Thompson (ASB-  
1422-P67J)

Attorney at Law

P.O. Box 43116

Birmingham, Alabama  
35243

205-601-5624

kent@jkenthompsonlaw.  
com

RICHARD M. ELIAS

/s/ Richard M. Elias

Richard M. Elias

Todd Friedman

231 S. Bemiston, Suite 800

St. Louis, MO 63105

314-391-6824

relias@eliasllc.com

tfriedman@eliasllc.com

*Attorney for Defendant Viceroy Research  
LLC*